

UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF FLORIDA  
JACKSONVILLE DIVISION

VICTORIA MOBLEY,

Plaintiff,

v.

CASE NO. 3:23-cv-159-HES-MCR

MARGARET MURRAY and  
ANEISHA RANDALL,

Defendants.

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**REPORT AND RECOMMENDATION**<sup>1</sup>

**THIS CAUSE** is before the Court on the Court's February 24, 2023 Order (Doc. 9).

On February 14, 2023, Plaintiff filed her Complaint and Application to Proceed in District Court Without Prepaying Fees or Costs ("Application"). (Docs. 1 & 2.) On February 24, 2023, the undersigned entered an Order, denying without prejudice Plaintiff's Application and directing Plaintiff to file an amended complaint and a notarized application or pay the filing fee on or

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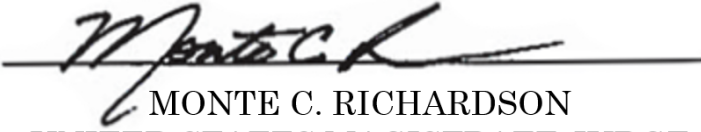
<sup>1</sup> "Within 14 days after being served with a copy of [this Report and Recommendation], a party may serve and file specific written objections to the proposed findings and recommendations." Fed.R.Civ.P. 72(b)(2). "A party may respond to another party's objections within 14 days after being served with a copy." *Id.* A party's failure to serve and file specific objections to the proposed findings and recommendations alters the scope of review by the District Judge and the United States Court of Appeals for the Eleventh Circuit, including waiver of the right to challenge anything to which no specific objection was made. *See* Fed.R.Civ.P. 72(b)(3); 28 U.S.C. § 636(b)(1)(B); 11th Cir. R. 3-1.

before March 16, 2023. (Doc. 9.) The deadline to comply with the Court's February 24, 2023 Order was extended, on Plaintiff's motion, through April 17, 2023. (See Docs. 11, 13.) Then, on April 25, 2023, the Court *sua sponte* extended Plaintiff's deadline to file an amended complaint and otherwise comply with the Court's February 24, 2023 Order until May 9, 2023. (See Doc. 14.) In that Order, Plaintiff was warned that failure to comply with the Court's Orders would likely result in a dismissal of this action without further notice. (*Id.* at 1.) The Court's April 25, 2023 Order was mailed to Plaintiff on or before April 26, 2023.

However, Plaintiff has not complied with the Court's Orders (Docs. 9, 13, 14), because, despite filing an Amended Application (Doc. 12) on March 21, 2023, to date, Plaintiff has not filed an amended complaint and has not sought an extension of time to do so. Based on the foregoing, the undersigned recommends that the Amended Application be denied and the case be dismissed for lack of prosecution. See M.D. Fla. R. 3.10.

Accordingly, it is **RECOMMENDED** that the Application (**Doc. 12**) be **DENIED**, this case be **DISMISSED without prejudice**, and the Clerk of Court be directed to terminate any pending motions and close the file.

**DONE AND ENTERED** at Jacksonville, Florida, on May 30, 2023.

  
MONTE C. RICHARDSON  
UNITED STATES MAGISTRATE JUDGE

Copies to:

The Hon. Harvey E. Schlesinger  
Senior United States District Judge

*Pro Se* Party